

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF TENNESSEE AT
NASHVILLE**

CREEKSIDE TERRACE, LLC,

Plaintiff,

v.

**TOWN OF BURNS MUNICIPAL
PLANNING COMMISSION,
GREGORY HOGIN, LONDON
MATHIS, BRYAN COLLINS, and
TIMOTHY V. POTTER,**

Defendants.

**Case No. 3:21-cv-00248
JURY DEMAND**

VERIFIED MOTION TO WITHDRAW

The undersigned, pursuant to Local Rule §83.01(g), moves to withdraw as counsel to the plaintiff, Creekside Terrace, LLC. In support of this Motion, the undersigned states:

1. Tenn. Sup. Ct. R. 8, RPC 1.16(a)(1) *requires* counsel to withdraw from representation where “the representation will result in a violation of the Rules of Professional Conduct.” RPC 1.16(b)(4) *permits* counsel to withdraw where “the client insists upon taking action that the lawyer considers repugnant or imprudent.” LR 83.01(g) requires that counsel seeking to withdraw “must set forth the reasons for the withdrawal request...”

2. On February 3, 2022, and February 23, 2022, plaintiff provided written instructions to counsel that counsel believes implicate both RPC 1.16(a)(1) and Rule 1.16(b)(4). Counsel has also received other written instructions from plaintiff that

counsel considers improper.

3. Counsel has withheld disclosure of the specific communications at issue pursuant to RPC 1.6 (Confidentiality of Information).¹

4. Counsel has attached hereto as Exhibit 1 the Notice of Intention to Withdraw contemplated by LR 83.01(g) that counsel certifies that he served upon plaintiff on February 24, 2022.

For the foregoing reasons, the undersigned moves the Court for leave to withdraw as counsel to the plaintiff, Creekside Terrace, LLC.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed February 11, 2022, at Brentwood, Tennessee.

Respectfully submitted,

s/ Eugene N. Bulso, Jr.

Eugene N. Bulso, Jr. (12005)

Eric W. Smith (No. 21694)

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Attorneys for Plaintiff

¹ At the Court's direction, counsel will file the communications under seal, provide a chambers copy of the communications, or otherwise proceed as the Court wishes.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been sent via email to the following persons on February 11, 2022.

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s/ Eugene N. Bulso, Jr.
Eugene N. Bulso, Jr.